

REMARKS

Claims 1, 3-6, 9-11, 13-15, and 18-24 are currently pending. Claims 1, 11, 19, and 20 are currently amended. Accordingly, claims 1, 3-6, 9-11, 13-15, and 18-24 will remain pending after entry of this amendment.

Support for the amendments herein can be found throughout the application as originally filed. Specifically, support for the amendments to claims 1, 11, 19, and 20 can be found at least, for example, at page 19, line 23 to page 20, line 14 of the specification as originally filed (§ [0063] as published). No new matter is added.

Double Patenting

Claims 1, 3-6, 9-11, 13-15, and 18-20 are provisionally rejected under the judicially created doctrine of obviousness-type double patenting over claims 1, 8, 11, 17 of U.S. Patent Application Serial No. 12/113,637.

It remains unknown what subject matter claimed and disclosed in the either the present or the cited application will be deemed allowable. Therefore, any statement regarding this rejection made on Applicants' part would be premature. Accordingly, Applicants respectfully traverse this rejection, and request that this rejection be held in abeyance until subject matter is deemed allowable in this application.

35 U.S.C. § 103(a)

The Office Action rejects claims 1, 3-6, 9-11, 13-15, and 18-24 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,758,746 to Hunter et al. (hereinafter "Hunter") in view of U.S. Patent No. 5,890,963 to Yen (hereinafter "Yen"). Applicants respectfully traverse this rejection.

Currently amended independent device claims 1, 11, and 19 recite "a converting device for converting play-information indicating the contents of a user's playing in each game [...] into points in accordance with the contents of the play-information, the points having a trading value unified through the games but not to be used in any one of the games directly." (Emphasis added.)

Currently amended independent method claim 20 recites “converting play-information indicating the contents of the user playing one of the plurality of games into points, the points having a trading value unified through the games but not to be used in any one of the games directly.” (Emphasis added.)

Yen discloses a game system where money earned in one stock exchange game can be used in another stock exchange game (Yen, col. 7, lines 8-23) and capital or a resource obtained in a Diner game can be used also in a running club game (*Id.*, col. 12, lines 51-67). However, unlike in the claimed invention, the allegedly transferred resources are used directly in the games, *i.e.*, the money or capital transferred between the games is used as such in both the originating and receiving games.

The recited invention allows a player to use accumulated points to obtain unique data to be used in a game that can be different from the game in which the points were accumulated. For example, a player can accumulate a large amount in a first game in which the user excels and use the points to obtain unique data (*e.g.*, a special item) for use in a second in which the user is unskilled. Moreover, the player can gain special items in a game even if the player has not yet played the game. Examples of various special items are provided page 19, line 23 to page 20, line 14 of the specification as originally filed (¶ [0063] as published).

Hunter does not teach the accumulation of points having a trading value unified through the games but not to be used in any one of the games directly, and therefore fails to cure the defects of Yen.

Accordingly, Applicants respectfully request the withdrawal of the rejection of claims 1, 3-6, 9-11, 13-15, and 18-24 under 35 U.S.C. § 103(a) over Hunter in view of Yen.

Conclusion

In view of the above amendments and remarks, Applicants believe the pending application is in condition for allowance. If a telephone conversation with Applicants' representatives would be helpful to resolve any further issues and/or expedite further

prosecution of the application, Applicants invite the Examiner to contact the undersigned at the telephone number listed below.

Fee Authorization

Applicants believe that no fees are due for the submission of this Amendment and Response. If additional fees are required, the Director is authorized to charge any fees associated with this submission to our Deposit Account, No. 04-1105, Reference 86264(308246). Any overpayment should be credited to said Deposit Account.

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Respectfully submitted,

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